UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,065	12/21/2000	Takahiro Kimoto	072982/0213	5469

			EXAMINER
22428	7590	06/29/2004	LEE, RICHARD J

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3000 K STREET NW
WASHINGTON, DC 20007

ART UNIT	PAPER NUMBER
2613	10

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/741,065	KIMOTO, TAKAHIRO
	Examiner	Art Unit
	Richard Lee	2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-66* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-60* is/are allowed.

6)☒ Claim(s) *61-66* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 61-63 are rejected under 35 U.S.C. 102(b) as being anticipated by Murphy et al of

record (5,745,169).

        Murphy et al discloses a system for detecting errors in video images as shown in Figures

1-4, and the same video decoding apparatus and method and machine readable record medium

storing a program for instructing an MPU to execute a video decoding process for decoding a

coded video signal as claimed in claims 61-63, comprising the same receiving means (i.e., 15 of

Figure 1) for receiving an input signal; determining means for generating a coded signal from the

input signal and determining an error portion in the coded signal, which is comprised of a

plurality of coded block data units (see column 2, lines 30-38, column 3, lines 14-59); decoding

means (27 of Figure 1, and see column 3, line 14 to column 4, line 42) for decoding each of the

plurality of coded block data units of the coded signal to generate decoded block data;

calculating means for determining a plurality of decoded block data units to which the error

portion corresponds (i.e., error detecting and concealing unit 29 of Figure 1 determines all

decoded block data units with error portions, see column 3, line 45 to column 4, line 42); judging

means for judging whether each of the plurality of decoded block data units is decoded normally

or not (i.e., processing unit 49 calculates mean and variance of the coefficient values within each

block to determine/judge whether the block of interest contains errors, with the absence of errors

indicating normal decoding of the block data units and the presence of errors indicating not

normal decoding of block data units, see steps 66, 67, 70, 71 of Figure 4, column 4, line 5 to

column 6, line 19); and error concealing means (i.e., steps 68, 72 of Figure 4, and see column 3,

lines 45-59, column 4, line 5 to column 6, line 19) for error concealing the decoded block data

units judged by the judging means if the decoded block data units are judged not to be decoded

normally.

3.   Claims 61-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Lyu

(6,654,500).

Lyu discloses an MPEG video decoding system and overflow processing method as

shown in Figures 1 and 2, and the same video decoding apparatus and method and machine

readable record medium storing a program for instructing an MPU to execute a video decoding

process for decoding a coded video signal as claimed in claims 61-66, comprising the same

receiving means (i.e., 11 of Figure 1) for receiving an input signal; determining means for

generating a coded signal from the input signal and determining an error portion in the coded

signal, which is comprised of a plurality of coded block data units (see column 1, lines 22-35,

column 3, lines 6-59); dividing means (see column 1, lines 22-42) for dividing the coded signal

into a plurality of coded block data units and for determining whether or not an error exists in

each of the coded block data units based on the error portion in the coded signal as determined

by the determining means (see column 3, lines 16-35, column 4, lines 16-59); decoding means

(13 of Figure 1) for decoding each of the plurality of coded block data units of the coded signal

to generate decoded block data/decoded image; calculating means for determining a plurality of

decoded block data units to which the error portion corresponds and for determining a region to

which the error portion corresponds in the decoded image, with respect to each of a plurality of

decoded block data units that were decoded from each of the plurality of coded block data units

by the decoding means (i.e., error codes are inserted into the video bit stream sequence

comprised of MPEG blocks, with the blocks representing the region and thereby determining the

region to which the error portion corresponds in the decoded image with respect to each of a

plurality of decoded block data units that were decoded from each of the plurality of coded block

data units by the decoding means, see column 1, lines 22-42, column 4, lines 29-49); judging

means for judging whether each of the plurality of decoded block data units/region is decoded

normally or not (see column 4, lines 39-49); and error concealing means (see column 4, lines 50-

59) for error concealing the decoded block data units/region judged by the judging means if the

decoded block data units/region are judged not to be decoded normally.

4.   Claims 1-60 are allowed.

5.   The Examiner wants to point out that only pertinent arguments from the amendment filed

April 16, 2004 will now be addressed.

        Regarding the applicant's arguments at pages 28-29 of the amendment filed April 16,

2004 concerning in general that "... One important feature of the present invention according to

claims 61-63 is to restrict a judged region of a decoded image based on pixel value distribution

by using error detection code technology such as a Reed-Solomon code. In conventional

systems such as the one described in Murphy, an error detection process based on pixel value

distribution requires considerable computational complexity. In any event, claims 61-63 have

been amended to recite that the coded signal is comprised of a plurality of coded block data

units, whereby the other elements of those claims have been amended in a similar manner.

Murphy does not teach or suggest such features, in combination with the already-recited features

in those claims", the Examiner respectfully disagrees. The applicant's attention is directed to

column 2, lines 30-38 and column 3, lines 14-59 of Murphy wherein it is taught the particular

block based video coding and decoding that is conventional under the MPEG standard.

Therefore, it is submitted that the plurality of coded block data units as claimed is considered

met and anticipated by Murphy.

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

7.   Any response to this final action should be mailed to:

>   Box AF
>   Commissioner of Patents and Trademarks
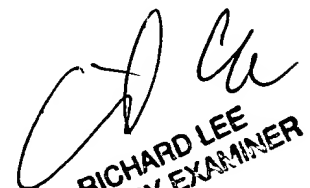>   Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications; please mark "EXPEDITED PROCEDURE") (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (703) 308-6612. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group customer service whose telephone number is (703) 306-0377.

RICHARD LEE
PRIMARY EXAMINER

Richard Lee/rl

6/25/04